

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
AT NASHVILLE**

A.M.C., by her next friend, C.D.C., et al.,

Plaintiffs,

v.

STEPHEN SMITH, in his official capacity as  
Deputy Commissioner of Finance and  
Administration and Director of the Division of  
TennCare,

Defendant.

Civil Action No. 3:20-cv-00240

Class Action

Judge Crenshaw  
Magistrate Newbern

**Plaintiffs' Motion for Class Certification**

Plaintiffs move the Court pursuant to Rule 23(a) and 23(b)(2) of the Federal Rules of Civil Procedure for certification of their claims in this matter on behalf of the following class, referred to as the Plaintiff Class and subclass, referred to as the Disability Subclass:

The Plaintiff Class is:

All individuals who meet the eligibility criteria for TennCare coverage and who, since March 19, 2019, have been or will be disenrolled from TennCare. The class excludes individuals, and the parents and legal guardians of individuals, whose termination is due to a requested withdrawal from the TennCare program.

Plaintiffs S.L.C., Charles E. Fultz, Michael S. Hill, William C. Monroe, Linda Rebeaud and Johnny Walker seek to represent this Disability Subclass:

Plaintiff Class members who are “qualified individuals with a disability” as defined in 42 U.S.C. § 12131(2).

This motion is based on this motion, the accompanying Memorandum in Support, accompanying declarations and exhibits, allegations in the Complaint, and other evidence that may be presented

to the Court prior to its ruling on this motion. The defendant's counsel, Ms. Carolyn Reed, has communicated that her client opposes this motion and intends to seek additional time to respond.

Date: March 27, 2020

Respectfully submitted,

s/ Catherine Millas Kaiman

*On Behalf of Counsel for Plaintiffs*

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## CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document is being served via the Court's electronic filing system on this 27th day of March, 2020 on the following counsel for the Defendant:

Ms. Carolyn E. Reed  
Special Counsel  
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/s/ Catherine Millas Kaiman Fl Bar 117779  
*On Behalf of Counsel for Plaintiffs*